

**(Permit Renewal) Categorical Exclusion Documentation
ID-330-2008-CE-151**

A. Background

BLM Office: Challis, ID 330
Permit/Lease No.: 1104059
Allotment No: 05705

Proposed Action Title: 10 year permit renewal for the Spengler Allotment

Location of Proposed Action: Challis Field Office area

Description of Proposed Action: To renew the 10-year grazing permit on the Spengler Allotment with the same terms and condition as on the existing permit.

Mandatory Terms and Conditions

Pasture	Livestock		Grazing Period		% PL	Type Use	Active AUM's	Suspended AUM's
	Number	Kind	Begin	End				
Spengler	48	cattle	05/11	07/25	90	Active	108	0

Other Terms and Conditions

As provided in the 43 CFR 4130.3-2(d), the submission of an actual use report within 15 days after completion of the annual grazing is required.

It is the duty of persons and agencies to control noxious weeds within the State of Idaho. Chapter 24, Title 22, Idaho Code Noxious Weeds, 22-2471.

B. Land Use Plan Conformance

Land Use Plan Name: Challis Resource Area Resource Management Plan

Date Approved/Amended: July 1999

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following Challis RMP Sections: "Livestock grazing," pps. 37-41; "Water Quality," p. 68; "Wildlife Habitat," pps. 72-76

C: Land Health Assessment

The allotment(s) are meeting standards and conforming to guidelines (43 CFR 4180.2, *Standards for Rangeland Health and Guidelines for Grazing Management for Public Lands in Idaho* (August 1997)).

The following standards are being met or if not met livestock grazing is **not a significant factor**, or are not applicable:

Idaho Standards	Standard Met	Standard Not Met, Grazing not a Significant Factor	Standard is not Applicable
1) Watersheds	X		
2) Riparian and Wetland Areas			X
3) Stream Channel and Floodplain			X
4) Native Plant Communities	X		
5) Seedings			X
6) Exotic Plant Communities other than Seedings			X
7) Water Quality			X
8) Threatened and Endangered Plants and Animals	X		

For more specific information see Assessment and Evaluation/Determination for the Spengler Allotment found in the Challis Field Office.

D: Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, as published in the Notice of Final Action to Adopt Revisions to the Bureau of Land Management's Procedures for Managing the NEPA Process, Chapter 11 of the Department of the Interior's Manual Part 516. Federal Register: Volume 72, Number 156 -August 14, 2007, pages 45503-45542. *“Issuance of livestock grazing permits/leases where (a) The new grazing permit/lease is consistent with the use specified on the previous permit/lease, such that (1) the same kind of livestock is grazed, (2) the active use previously authorized is not exceeded, and (3) grazing does not occur more than 14 days earlier or later than as specified on the previous permit/lease, and (b) The grazing allotment(s) has been assessed and evaluated and the Responsible Official has documented in a determination that the allotment(s) is (1) meeting land health standards, or (2) not meeting land health standards due to factors that do not include existing livestock grazing.”*

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment as documented in the following table. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2, Appendix 2 apply.

CX EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION			
The proposed categorical exclusion action will:		YES	NO
2.1	Have significant impacts on public health or safety.		X
Rationale: The ID team analysis has identified no significant impacts on public health or safety regarding this permit and the RMP has identified no specific health or safety hazards pertaining to this allotment.			
2.2	Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		X
Rationale: There are no park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; cultural resources; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); or national monuments on this allotment. There are no significant impacts to migratory birds, or other ecologically significant or critical areas as determined by the ID team analysis. Lost River milkvetch (<i>Astragalus amnis-amissi</i>), a special status species, was documented at one location on the allotment at the base of steep limestone talus in July 1980. The Lost River milkvetch is .25 mile away from the nearest water source where you would expect to find concentrated livestock use. The documented livestock use, however, in the surrounding area of the documented plant location has been incidental (0-5%) due to the topography and nature of the talus slopes. The ID team analysis concluded that the Lost River milkvetch would not be affected by renewing the permit.			
2.3	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		X
Rationale: The ID team identified no highly controversial impacts during the Standard and Guides process. The allotment was identified for cattle grazing in the RMP and is meeting all applicable Rangeland Health Standards.			
2.4	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
Rationale: Through the Standards and Guides Process the ID Team identified no highly			

uncertain and potentially significant environmental effects or involved unique or unknown environmental risks. Past and present management has been consistent with management guidelines.		
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
Rationale: Regulation 43 CFR 4130.2 (c) grazing permits or leases state that grazing permits or leases convey no right, title, or interest held by the United States in any lands or resources; 43 CFR 4110.3 changes in permitted use; 43 CFR 4110.3(a) states “the authorized officer shall periodically review the grazing preference specified in a grazing permit or lease and make changes in the grazing preference as needed...”; 43 CFR 4130.3-3 states, “the authorized officer may modify terms and conditions of the permit...”. Therefore, the issuance of this permit does not establish any precedent for any future action with potential significant effects.		
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
<p>Rationale: The Spengler Allotment falls within the Big Lost River Watershed. This area includes 13 allotments which covers approximately 120,679 acres. Six allotments (52,775 acres) of which have been assessed, three are meeting all standards or making significant progress toward meeting the standards, two were not meeting or making significant progress toward meeting one or more of the standards at the time of the assessment, but appropriate action has been taken to ensure significant progress toward meeting the standards, and one was not meeting or making significant progress toward meeting one or more of the standards due to causes other than livestock grazing. The proposed action would perpetuate the standards to continue to be achieved in this area.</p> <p>Renewal of this livestock grazing permit will authorize the continuation of an historic and ongoing activity. The Evaluation and Determination indicated conformance with all applicable rangeland health standards under current livestock management. Based on these two circumstances, and when livestock grazing is considered in context with other activities and land uses of the region, this grazing permit renewal will have no cumulatively significant environmental effects.</p>		
2.7 Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places in this allotment.		X
Rationale: The allotment has been reviewed by the Challis Field Office archeologist and no properties eligible for listing on the National Register of Historic Places will be affected in this allotment.		

2.8 Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		X
<p>Rationale: Considerations were given to the U.S. Fish and Wildlife Service (USFWS) Quarterly Species List Update-Addendum (re: File #1002.0000 2008-SL-0124) which identifies threatened, endangered, proposed, and candidate species (per the Endangered Species Act [ESA] of 1973, as amended) that may occur on BLM-administered lands. As such, there are no fish, wildlife or plant species, or designated critical habitat on the USFWS list for this allotment.</p> <p>Regardless of the above, all standards applicable for this allotment are being met which provides for the habitat qualities necessary to sustain those sensitive species discussed and clearly establishes that no significant impacts are occurring.</p>		
2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
<p>Rationale: The prescribed management will not violate any of the above laws or requirements known to exist at the time of this analysis.</p>		
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
<p>Rationale: No actions in this permit would have a disproportionately high and adverse effect on low income or minority populations.</p>		
2.11 Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		X
<p>Rationale: This permit does not limit access to public lands.</p>		
2.12 Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).		X
<p>Rationale: Standards and guides analysis identified that the rangeland is in healthy condition and is meeting all applicable standards. Management actions prescribed in this permit will not increase the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species. The existing grazing has maintained a late seral condition, met all applicable standards, and provided expected ground cover of perennial vegetation – which limits opportunities for invasive species spread and establishment. The</p>		

participation of the BLM in the Coordinated Weed Management Area (CWMA) pertaining to this allotment has been successful in keeping weed expansion under control.

This categorical exclusion review has been conducted by an interdisciplinary team (ID), which utilized all available allotment information to make a recommendation. The following are the team members:

Team Member	Title	Discipline Covered
Keith Andrews	Wildlife Biologist	Wildlife
Ryan Beatty	Fisheries Biologist	Fisheries
Jeff Christenson	Outdoor Recreation Planner	Recreation
Kristin Coons	Rangeland Management Specialist	Range
Kevin Lloyd	Rangeland Management Specialist	Sensitive Plants
Peggy Redick	Supervisory RMS	Renewable Resources
Leigh Redick	Fire Ecologist	Invasive Species
Carol Hearne	Supervisory RMS. Archaeologist	Archaeology, Tribal

I have reviewed this CX documentation including the plan conformance, NEPA compliance, and the land health assessment and evaluation/determination and have determined that the proposed permit renewal is in conformance with the approved land use plan and that no further environmental analysis is required.

Rationale: The CX is appropriate and consistent with the use specified on the previous permit such that: the same kind of livestock would be permitted, the permitted use does not exceed the active use previously authorized, and all applicable Rangeland Health Standards are being met on the Spengler Allotment. The Spengler Allotment has been assessed, evaluated, and the authorized officer has documented in the determination that the allotment is meeting all applicable rangeland health standards.

Standard 1 (Watersheds), Standard 4 (Native Plant Communities), and Standard 8 (Threatened and Endangered Plants and Animals) are the applicable standards to the Spengler Allotment and all are being met to provide for healthy watersheds and native plant communities to sustain native wildlife habitats.

The current grazing management practices are maintaining or promoting significant progress toward adequate amounts of ground cover (Guideline 1), the soil conditions support water infiltration, plant vigor, and permeability rates and minimize soil compaction appropriate to site potential (Guideline 3), and season of use has allowed for properly functioning conditions and adequate vegetative cover (Guideline 4).

Upland utilization management guidelines from the Challis RMP have been implemented on this allotment. Utilization has been maintained under the 40% level for the past 16 years of management with the current permittee.

The ephemeral streams within the Spengler Allotment are not occupied by federally listed salmonids as they are not suitable to support these species. Since federally listed salmonids are not present within the allotment, consultation under the endangered Species Act of 1973, as amended, is not required.

F: Signature

Authorizing Official: David Rosenkrance Date: 4 AUGUST 2008
(Signature)

Name: David Rosenkrance
Title: Field Manager

G. Contact Person

For additional information concerning this CX review, contact:

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